



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,490	10/03/2005	Gerd Spalink	282698US8XPECT	6538
22850	7590	12/01/2008		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER				
NGUYEN, STEVEN C				
ART UNIT		PAPER NUMBER		
2443				
NOTIFICATION DATE		DELIVERY MODE		
12/01/2008		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
oblonpat@oblon.com  
jgardner@oblon.com

### Office Action Summary

**Application No.**

10/520,490

**Applicant(s)**

SPALINK ET AL.

**Examiner**

STEVEN C. NGUYEN

**Art Unit**

2443

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01/07/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date 01/07/2005
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Specification***

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Objections***

2. **Claim 4** is objected to having unclear language. The claim includes the phrase "according to anyone of the preceding claims" but then goes on to specifically say "claim 1." Examiner is unsure whether this claim is intended to be dependent upon Claim 1 or any of Claims 1-3, therefore, examiner will construe Claim 4 as being dependent on Claim 1 for examination purposes.

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. **Claim 24** is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Lines 3-4 of Claim 24 recite the limitation "computer program product comprising a computer program means." The claim is directed to a computer program product comprising a computer program means. This

can be interpreted as software per se. Software per se is not patentable. See MPEP § 2106.01(I)

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**4. Claims 7 and 8** recite the limitation "said Ethernet traffic" in Lines 2-4. There is insufficient antecedent basis for this limitation in the claim as Claim 1 (whom Claims 7 and 8 depend upon) does not mention Ethernet traffic.

**5. Claims 9 and 10** recite the limitation "said IEEE 1394 traffic" in Lines 2-4. There is insufficient antecedent basis for this limitation in the claim as Claim 1 (whom Claims 9 and 10 depend upon) does not mention IEEE 1394 traffic.

**6. Claim 24** recites the limitation "or the like" in Line 4. The metes and bounds of the limitation cannot be ascertained. The specification does not appear to define what "or the like" means.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section

351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**7. Claims 1-5, 12, 13, 16, and 17** are rejected under 35 U.S.C. 102(e) as being anticipated by Hameleers et al (PCT Publication WO2001/82558), hereinafter Hameleers.

**8.** In regards to **Claim 1**, Hameleers teaches:

a. a content detection layer for detecting the content type of external traffic received by said network device (*Column 15, Lines 12-16 state that the multi link distributing layer [content detection layer] can identify the type of each media stream*), and for passing said external traffic, in dependence of the detected content type, to a content specific convergence layer dedicated to handling the respective content type (*Column 15, Lines 12-16 state that the multi link distribution layer distributes the media streams to certain channels based on type of stream and quality of service requirements*), and

b. a set of content specific convergent layers which exchange network traffic with other network devices of said device network via content specific connections whereby said content specific connections are suited to the requirements of the respective content type (*Column 15, Lines 21-22 state that there are separate channels [convergence layers] that specialize in data and control, audio, or video*).

9. In regards to **Claim 2**, the limitations of Claim 1 have been addressed above.

Hameleers teaches:

a. one of said content types is real time critical data whereby said set of content specific convergence layers comprises a convergence layer dedicated to handling real time critical data (*Column 15, Lines 21-22 state that there is a separate channel for video streams*).

10. In regards to **Claim 3**, the limitations of Claim 1 have been addressed above. Hameleers teaches:

a. one of said content types is packet based data, whereby said set of content specific convergence layers comprises a convergence layer dedicated to handling packet based data (*Column 15, Lines 21-22 state that there is a separate channel for data and control streams*).

11. In regards to **Claim 4**, the limitations of Claim 1 have been addressed above. Hameleers teaches:

a. said external traffic being at least one of Ethernet traffic, IEEE 1394 traffic, UMTS traffic, or PPP traffic (*Column 12, Lines 22-24 state that the invention incorporates the UMTS*).

12. In regards to **Claim 5**, the limitations of Claim 1 have been addressed above. Hameleers teaches:

a. said network device comprises hardware connectivity for at least one of Ethernet traffic, IEEE 1394 traffic, UMTS traffic, or PPP traffic (*Column 12, Lines 22-24 state that the invention incorporates the use of UMTS. As the invention is using UMTS, the network device must have hardware connectivity in order to be able to function*).

**13.** In regards to **Claim 12**, the limitations of Claim 1 have been addressed above. Hameleer teaches:

a. said content specific convergence layers are operable to be used simultaneously within the same device network (*Column 15, Lines 21-22 state that there are three separate channels that deal with data and control, audio, or video. As these channels are used within the invention, they can be used simultaneously within the same network*).

**14.** In regards to **Claim 13**, the limitations of Claim 1 have been addressed above. Hameleers teaches:

a. at least one network device (*Column 15, Lines 12-16 and Column 15, Lines 21-22 the multi link distributing layer and the separate channels make up the network device, as discussed in Claim 1*).

**15.** In regards to **Claim 16**, the limitations of Claim 13 have been addressed above. Hameleers teaches:

a. said content specific connection is for a content type which requires a quality of service feature, a fixed bandwidth is reserved for said content specific connection (*Column 17, Lines 23-32 and Column 16, Lines 8-15 state that each connection has its own quality of service optimization characteristics*).

**16.** In regards to **Claim 17**, the limitations of Claim 13 have been addressed above. Hameleers teaches:

a. characterized in that for each content specific connection, the content type supported by said content specific connection is registered (*Column 15, Lines 12-16 state that the multi link distribution layer distributes the media streams to certain channels based on type of stream and quality of service requirements. Any traffic transmitted via the multi link distribution layer can be passed to the corresponding content specific convergence layer dedicated to handling the respective content type*).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.



17. **Claim 6** is rejected under 35 U.S.C. 103(a) as being unpatentable over Hameleers in view of Balog et al (US Publication 2002/ 0022453), hereinafter Balog.

18. In regards to **Claim 6**, the limitations of Claim 1 have been addressed above. Hameleers does not explicitly teach:

a. that said network device is an access point of said device network.

However, Balog does teach:

b. that said network device is an access point of said device network (*Paragraph 29, Lines 13-15 state that an access point is used in order to help determine where to route information*). It would have been obvious to a person having ordinary skill in the art to which the subject matter pertains to combine the teachings of Hameleers (*a communication device that is able to tell what content is being sent across the network*) with Balog (*having an access point provide information about where to route the data*). The motivation behind this would be so that there is no confusion as to where the information or data stream is to be sent.

19. **Claims 7, 8, 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hameleers in view of Kisor (US Patent 6,104,720), hereinafter Kisor.

20. In regards to **Claim 7**, the limitations of Claim 1 have been addressed above. Hameleers teaches:

a. content detection layer analyses traffic, whereby if traffic is real time critical, it is passed to a convergence layer dedicated to handling real time critical data (*Column 15, Lines 12-16 and Lines 21-22 state that the distribution of media streams is based on content type and quality of service requirements. There are three different convergent layers that specialize in data and control, audio, or video.*

Hameleers does not explicitly teach:

b. that said traffic is Ethernet traffic.

However, Kisor teaches:

c. that said traffic is Ethernet traffic (*Column 2, Lines 39-40, 59-67 and Column 3, Lines 1-3 state that there is an Ethernet adapter that handles all Ethernet traffic. Once received, the communication path scheduler sends data that it receives to LAN [Ethernet] device if it is Ethernet data*). It would have been obvious to a person having ordinary skill in the art to which the subject matter pertains to combine the teachings of Hameleers (*a communication device that is able to tell if content is real time critical traffic*) with Kisor (*the ability to specify that data being sent is Ethernet data*). The motivation behind this would be that each communication path (*whether it is Ethernet LAN, ISDN, PSTN etc...*) affects how the data is transmitted (*Kisor, Column 1, Lines 11-18*). Therefore, it is important to know exactly which communication path is being used in order to keep the integrity of the data or know how each communication path differs in order to alter the data so that a different communication path may understand it.

21. In regards to **Claim 8**, the limitations of Claim 1 have been addressed above. Hameleers teaches:

a. content detection layer analyses traffic, whereby in case said data traffic is not real time critical, it is passed to a convergence layer dedicated to handling packet based data (*Column 15, Lines 21-22 state that there is a separate channel for data and control streams*).

Hameleers does not explicitly teach:

b. that said traffic is Ethernet traffic.

However, Kisor teaches:

c. that said traffic is Ethernet traffic (*as discussed above in Claim 7*). It would have been obvious to a person having ordinary skill in the art to which the subject matter pertains to combine the teachings of Hameleers (*a communication device that is able to tell if content is packet based data*) with Kisor (*the ability to specify that data being sent is Ethernet data*). The motivation behind this would be that each communication path (*whether it is Ethernet LAN, ISDN, PSTN etc...*) affects how the data is transmitted (*Kisor, Column 1, Lines 11-18*). Therefore, it is important to know exactly which communication path is being used in order to keep the integrity of the data or to know how each communication path differs in order to alter the data so that a different communication path may understand it.

22. In regards to **Claim 14**, the limitations of Claim 13 have been addressed above. Hameleers does not explicitly teach:

a. that content specific connections are set up and released between the network devices of said device network, whereby a content specific connection is set up between a content specific convergence layer of a first network device which supports a certain content type, and a respective content specific convergence layer of a second network device which supports the same content type.

However, Kisor teaches:

b. that content specific connections are set up and released between the network devices of said device network, whereby a content specific connection is set up between a content specific convergence layer of a first network device which supports a certain content type, and a respective content specific convergence layer of a second network device which supports the same content type (*Figure 2 #50 shows the first convergence layer, it is clearly split into separate channels # 52, 54, 56, 58. After the data is transmitted to the communication path scheduler, a connection type is decided, whether it is PSTN, ISDN, LAN, or ATM. Once the connection type is decided, it is routed to the specific network to a device in the network [Column 2, Lines 52-54]. That second device must have an application layer [or convergence layer] that is able to gather the separate streams of data [audio, video, and control] and piece them together into a coherent media stream. Therefore, it must support the same content type*). It would have been obvious to a person having ordinary skill in the art to which the subject

matter pertains to combine the teachings of Hameleers (*a communication device capable of distinguishing content type*) with Kisor (*having the content sent to a second device that also is able to share the same content type*). The motivation behind this would be to make sure that the content being sent over the network is recognizable by a second device. Otherwise, there would be no reason to send the content if the support for the content was not there.

**23. Claims 9 and 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hameleers in view of Fant (US Patent 6,496,509), hereinafter Fant.

**24.** In regards to **Claim 9**, the limitations of Claim 1 have been addressed above. Hameleers teaches:

a. content detection layer analyses traffic, whereby in case said traffic is packet based data traffic, it is passed to a convergence layer dedicated to handling packet based data (*Column 15, Lines 12-16 and Lines 21-22 state that the distribution of media streams is based on content type and quality of service requirements. There are three different convergent layers that specialize in data and control, audio, or video. Packet based data would be sent to the data and control layer*).

Hameleers does not explicitly teach:

b. that said traffic is IEEE 1394 traffic.

However, Fant teaches:

c. that said traffic is IEEE 1394 traffic (*Column 3, Lines 32-34 state that there is a network interface that handles IEEE 1394 data packets*). It would have been obvious to a person having ordinary skill in the art to which the subject matter pertains to combine the teachings of Hameleers (*a communication device that is able to tell if content is packet based data*) with Fant (*the ability to specify if content is IEEE 1394 data*). The motivation behind this would be that IEEE 1394 has a higher transmission rate with a low cost (*Fant, Column 3, Lines 32-34*).

25. In regards to **Claim 10**, the limitations of Claim 1 have been addressed above. Hameleers teaches:

a. content detection layer analyses traffic is real time critical data traffic, whereby in case said traffic is real time critical data traffic, it is passed to a convergence layer dedicated to handling real time critical data (*Column 15, Lines 12-16 and Lines 21-22 state that the distribution of media streams is based on content type and quality of service requirements. There are three different convergent layers that specialize in data and control, audio, or video. Real time critical data would be sent to the video layer*).

Hameleers does not explicitly teach:

b. that said traffic is IEEE 1394 traffic.

However, Fant teaches:

c. that said traffic is IEEE 1394 traffic (*Column 3, Lines 32-34 state that there is a network interface that handles IEEE 1394 data packets*). It would have been obvious to a person having ordinary skill in the art to which the subject matter pertains to combine the teachings of Hameleers (*a communication device that is able to tell if content is packet based data*) with Fant (*the ability to specify if content is IEEE 1394 data*). The motivation behind this would be that IEEE 1394 has a higher transmission rate with a low cost (*Fant, Column 3, Lines 32-34*).

**26. Claims 11, 15, 21, and 22-25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hameleers in view of Lo et al (US Patent 6,324,178), hereinafter Lo.

**27.** In regards to **Claim 11**, the limitations of Claim 1 have been addressed above. Hameleers teaches:

a. content specific convergence layers (*Column 15, Lines 21-22 as discussed in Claim 1*).

Hameleers does not explicitly teach:

b. that the convergence layers comprise a common part, which segments data packets of said external traffic into a multitude of corresponding data packets of said device network's internal protocol, and which reassembles data packets of said device network's internal protocol into corresponding data packets of the respective external traffic.

However, Lo teaches:

c. that the convergence layers comprise a common part, which segments data packets of said external traffic into a multitude of corresponding data packets of said device network's internal protocol, and which reassembles data packets of said device network's internal protocol into corresponding data packets of the respective external traffic (*Column 6, Lines 5-15 state that the bridge circuit disassembles and reassembles the data and formats the packet to be read by the destination*). It would have been obvious to a person having ordinary skill in the art to which the subject matter pertains to combine the teachings of Hameleers (*having convergence layers*) with Lo (*having the ability to disassemble and reassemble data packets*). The motivation behind this would be so that a user would not have to worry about matching the same protocol as the destination user in order to send information across the network.

**28.** In regards to **Claim 15**, the limitations of Claim 13 have been addressed above. Hameleers teaches:

a. content specific convergence layers (*Column 15, Lines 21-22 as discussed in Claim 1*).

Hameleers does not explicitly teach:

b. that the external traffic exchanged with said first network device may be of a different kind than the external traffic exchanged with said second network device.

However, Lo teaches:



c. that the external traffic exchanged with said first network device may be of a different kind than the external traffic exchanged with said second network device (*Column 6, Lines 5-15 state that the external traffic from the first device is different than the external traffic that is going to the second device. The bridge circuit disassembles and reassembles the frame to encapsulate the data payload with a header and trailer that corresponds to where the frame is destined*). It would have been obvious to a person having ordinary skill in the art to which the subject matter pertains to combine the teachings of Hameleers (*having convergence layers*) with Lo (*altering data so that it is compatible with a second format*). The motivation behind this is for compatibility. This way the users of each device do not have to make sure each format is exactly the same before transmitting the media stream.

29. In regards to **Claim 21**, Hameleers teaches:

- a. detecting a content type of external traffic arriving at the device network (*Column 15, Lines 12-16 as discussed in Claim 1*);
- b. passing said external traffic, in dependence of the detected content type, to a content specific convergence layer dedicated to handling the respective content type (*Column 15, Lines 12-16 as discussed in Claim 1*); and

Hameleers does not explicitly teach:

- c. transmitting network traffic to other network devices via content specific connections, whereby said content specific connections are suited to the requirements of the respective content type.

However, Lo teaches:

d. transmitting network traffic to other network devices via content specific connections, whereby said content specific connections are suited to the requirements of the respective content type (*Column 6, Lines 5-15 as discussed in Claim 15*). It would have been obvious to a person having ordinary skill in the art to which the subject matter pertains to combine the teachings of Hameleers (*detecting content type and passing the content to a convergence layer*) with Lo (*transmitting the content to other network devices*). The motivation behind this would be to have the ability to share the media stream with other users of network devices.

**30.** In regards to **Claim 22**, the limitations of Claim 21 have been addressed above. Hameleers teaches:

a. that content specific connections are set up with the network device before transmitting said network traffic in accordance with said content type (*Column 15, Lines 21-22 as discussed in Claim 1. The separate channels are there from the start, before there is any data transmitted there are already connections for each content type*).

Hameleers does not explicitly teach:

b. that there are two network devices.

However, Lo teaches:

c. that there are two network devices (*Column 6, Lines 5-15 state that there are two separate devices involved*). It would have been obvious to a person having ordinary skill in the art to which the subject matter pertains to combine the

teachings of Hameleers (*having content specific connections set up prior to transmission*) and Lo (*having two network devices*). The motivation behind this would be so there is the ability to share the media stream with another user of a network device.

**31.** In regards to **Claim 23**, the limitations of Claim 21 have been addressed above. Hameleers teaches:

a. after network traffic transmitted in accordance with said content type, said content specific connection is released (*this must occur as once the data is sent, there is no need to hold the connection still as it can be used for another transmission. It is less efficient if the connection is not released*).

Hameleers does not explicitly teach:

b. that the network traffic is between two network devices.

However, Lo teaches:

c. that the network traffic is between two network devices (*Column 6, Lines 5-15 state that two separate devices are involved*). It would have been obvious to a person having ordinary skill in the art to which the subject matter pertains to combine the teachings of Hameleers (*releasing a network connection after it is done being used*) with Lo (*having a second device receive the network traffic*). The motivation behind this would be so there is the ability to share the media stream with another user of a network device.

**32.** In regards to **Claim 24**, the limitations of Claim 21 have been addressed above. Hameleers teaches:

a. a computer program product comprising computer program means adapted to perform the method steps as defined in Claim 21 when being executed on a computer (*It is inherent that this is shown as if the method steps were not on a computer program product, the computer would not be able to perform the method steps at all*).

**33.** In regards to **Claim 25**, the limitations of Claim 24 have been addressed above. Hameleers teaches:

a. a computer readable storage means, storing thereon a computer program product according to Claim 24 (*It is inherent that the computer program product would be stored on a computer readable medium in order to carry out the method of Claim 24 as if it were not, the computer would not be able to perform the method steps at all*).

**34. Claim 18** is rejected under 35 U.S.C. 103(a) as being unpatentable over Hameleers in view of Wellig (US Patent 6,505,034), hereinafter Wellig.

In regards to **Claim 18**, the limitations of Claim 13 have been addressed above. Hameleers does not explicitly teach:

a. that said device network is a wireless local area network, and in particular a HiperLAN/2 network.

However, Wellig teaches:

b. that said device network is a wireless local area network, and in particular a HiperLAN/2 network (*Column 4, Lines 1-15 and Lines 29-34 state that a*

*HiperLAN/2 network is being used*). It would have been obvious to a person having ordinary skill in the art to which the subject matter pertains to combine the teachings of Hameleers (*a communication device that is capable of distinguishing content being sent over the network*) with Wellig (*using a HiperLAN/2 network*). The motivation behind this would be that a HiperLAN/2 network enables higher throughput (*UMTS is capable of being the backbone to a HiperLAN/2 network*).

**35. Claims 19 and 20** is rejected under 35 U.S.C. 103(a) as being unpatentable over Hameleers in view of Lappetelainen et al (US Patent 6,671,495), hereinafter Lappetelainen.

**36.** In regards to **Claim 19**, the limitations of Claim 13 have been addressed above. Hameleers teaches:

a. that there is an exchange of control messages and data packets between different network devices (*Column 15, Lines 21-22 as discussed in Claim 1, one of the layers is for data and control*).

Hameleers does not explicitly teach:

b. that the exchange of data is done according to a TDMA transmission scheme.

However, Lappetelainen teaches:

c. that the exchange of data is done according to a TDMA transmission scheme (*Column 2, Lines 18-29 state that a HiperLAN/2 system is based on TDMA*). It would have been obvious to a person having ordinary skill in the art to

which the subject matter pertains to combine the teachings of Hameleers (*having an exchange of control messages and data packets*) with Lappetelainen (*using TDMA*).

The motivation behind this is that the media stream can have a dedicated time slot for transmission (*Column 2, Lines 21-22*).

**37.** In regards to **Claim 20**, the limitations of Claim 19 have been addressed above. Hameleers does not explicitly teach:

a. that a set of time slots of said TDMA transmission scheme may be reserved for a certain content specific connection.

However, Lappetelainen does teach:

b. that a set of time slots of said TDMA transmission scheme may be reserved for a certain content specific connection (*Column 2, Lines 18-29 state that each connection is allocated a separate time slot wherein data is transmitted*). It would have been obvious to a person having ordinary skill in the art to which the subject matter pertains to combine the teachings of Hameleers (*having an exchange of control messages and data packets*) with Lappetelainen (*using TDMA to reserve a time slot*). The motivation behind this would be so that critical data may have a strong connection for the time slot allotted to it.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEVEN C. NGUYEN whose telephone number is

(571)270-5663. The examiner can normally be reached on Monday through Thursday with alternating Friday 7:30AM - 5:00PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia Dollinger can be reached on (571) 272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S.C.N./  
Examiner, Art Unit 2443  
11/12/2008

/Tonia LM Dollinger/  
Supervisory Patent Examiner, Art Unit 2443